

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

ISIDRO AND DIANA HERRERA,

Plaintiffs,

v.

No: 2:14-CV-00734 JCH/CG

JOHN JONES II,

Defendant.

**ORDER QUASHING ORDER TO SHOW CAUSE  
AND RESETTING RULE 16 SCHEDULING CONFERENCE**

**THIS MATTER** is before the Court on its *Order to Show Cause*, (Doc. 37), filed on November 5, 2015. The *Order to Show Cause* was issued because Defendant's Counsel, Donald E. Pinaud., Jr., did not participate in the preparation of the *Joint Status Report*, (Doc. 36), and failed to appear at the Rule 16 Scheduling Conference on November 5, 2015.

On November 12, 2015, Mr. Pinaud filed *Counsel for Defendant John Jones' Response to Order to Show Cause*, (Doc. 38), explaining counsel's failure to participate in the preparation in the *Joint Status Report* and appear at the Rule 16 Scheduling Conference. He stated that, due to illness, he was not present in his law office, and there was confusion as to how to proceed with this case. Counsel assured the Court that this was a result of Counsel's oversight, was not meant to disrespect the Court, and will not happen again.

**IT IS THEREFORE ORDERED** that the Court's *Order to Show Cause*, (Doc. 37), is hereby **QUASHED**.

**IT IS FURTHER ORDERED** that the Rule 16 Scheduling Conference be reset for **Monday, December 14, 2015 at 1:30 p.m.** for the Court to review the completed *Joint Status Report* and for all parties to appear. The parties shall submit the *Joint Status Report* to the Court on or before **December 7, 2015**.

Parties shall call Judge Garza's Meet Me line at 505.348.2693 to be connected to the proceedings.

A handwritten signature in black ink, appearing to read 'Carmen E. Garza', with a long horizontal line extending to the right.

---

THE HONORABLE CARMEN E. GARZA  
UNITED STATES MAGISTRATE JUDGE